

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

United States District Court
Southern District of Texas
FILED

AUG 11 2016

David J. Bradley, Clerk of Court

STATE OF TEXAS, et al.,
Plaintiffs,

ROBIN CLARICE PAREZANIN,
RAHELEH ZIAEI,
TAMMY WILLIS,
RHONDA ANN FLEMING,
Plaintiff-Intervenors,

v.

No. B-14-254

UNITED STATES OF AMERICA

MOTION FOR EXPEDITED EVIDENTIARY HEARING
DUE TO IMMINENT HARM OR DANGER TO THE
PLAINTIFF-INTERVENORS

TO THE HONORABLE JUDGE ANDREW S. HANEN:

The Plaintiff-Intervenors move the Court for an Expedited Hearing on their Motion for TRO/Preliminary Injunction and/or a Spears Hearing, as soon as is practicable. The Plaintiff-Intervenors believe that they will be in physical danger once the media reports that federal prisoners are joining the State of Texas and other Plaintiff-States to bar the implementation of DAPA on violation of equal protection rights.

The Plaintiff-Intervenors are in a federal facility that is dominated by illegal aliens. Expedited consideration by the Court is needed on the Motion for TRO/Preliminary Injunction regarding the custody of the Plaintiff-Intervenors.

The Court is aware of heightened racial tensions in the United States. In prisons, there is a real danger for race riots and the Bureau of Prisons is on high alert on this matter.

Any prisoner at FMC Carswell that expresses support for the Republican Party faces discrimination from many employees and outright hostility from illegal alien prisoners.

Two examples of political bias that recently occurred at FMC Carswell are as follows:

1. Plaintiff-Intervenor Fleming received a letter from the Trump campaign in response to a letter she sent to Mr. Trump encouraging him to continue to speak about criminal illegal aliens and how they endanger U.S. citizens. The Plaintiff-Intervenor gave Mr. Trump details regarding the crimes illegal aliens had committed, while the media does not report that federal prisons are overcrowded with violent illegal aliens and they outnumber U.S. citizens in federal prisons, which causes bullying of white and black prisoners in their own country. Employees and prisoners approached the Plaintiff-Intervenor about receiving this mail from the Trump campaign, in a hostile manner.

2. On the night of Hillary Clinton's acceptance speech at the Democratic National Convention, special accommodations were made, where every television in the housing units were placed on the channel where her speech was televised. The Plaintiff-Intervenors did the same thing that Bill Clinton did during the speech, went to sleep. The Plaintiff-Intervenors and other prisoners were not accommodated with a television to watch Mr. Donald Trump give his acceptance speech at the Republican National Convention.

Every illegal alien prisoner at FMC Carswell states that as soon as they are released they are coming right back to the United States because President Obama and Hillary Clinton are not going to deport them.

If the Court agrees that the Plaintiff-Intervenors have a right to intervene in the case, this decision will make national news. Even if the Court declines to grant the motion, it is likely that the Plaintiff-Intervenors involvement in the case will be reported.

The Plaintiff-Intervenors are attaching a declaration from another prisoner, Diana Osteen, who has witnessed the hostility of Mexicans to the Plaintiff-Intervenors due to the receipt of the "Trump Letter". Ex-A, Trump Letter, Ex-B, Osteen Declaration.

The Plaintiff-Intervenors considered the possibility of being in physical danger before filing the Motion to Intervene. Their love of their country and the unfairness of President Obama's executive decision to change immigration law to benefit illegal aliens, while harming and discriminating against United States citizens, forced the Plaintiff-Intervenors to take this legal action.

After reading the Court's injunctive order and the Jane Doe's victory in being allowed to join the case, the Plaintiff-


Intervenors realized that the State of Texas could pursue a lawsuit as "parens patriae" on behalf of federal and state prisoners who have been held accountable for their criminal conduct but discriminated against by the DOJ and the President, by rewarding the felony conduct of illegal aliens.

As the Plaintiff-Intervenors have argued, there are collateral consequences for their convictions--loss of voting rights, loss of the right to possess firearm, and some government benefits. DAPA beneficiaries will obtain "lawful presence" and have a path to citizenship. Even before obtaining citizenship, with a Texas drivers license illegal aliens can go to a gun show and purchase a gun. DAPA beneficiaries will be able to apply for jobs that the Plaintiff-Intervenors can not apply for, such as security positions, because the records will show they have no criminal history, when in fact, the Jane Does have been in the United States committing at least one crime, illegal entry and probably welfare fraud, for over ten years. These people are not just sitting in the State of Texas without working illegally and committing other crimes. They have not been caught or no one has investigated their background.

If DAPA is implemented, it will harm the future of thousands of prisoners being released into the community. The Court is aware that it is hard to obtain employment with a criminal history. It is unfair to U.S. citizens to compete for jobs with illegal aliens, who violated the laws of the United States, but were not prosecuted on a class-wide basis.

The 100,000 beneficiaries of the DAPA program that the DOJ attorneys failed to tell the Court about, are walking around free and clear. They represent a violation of the Plaintiff-Intervenors rights to equal treatment under the law. These people should be in prison or deported. The President found money to incarcerate non-violent U.S. citizens and he should find the money to lock them up too. In the alternative, equal protection under the law would mean that the Plaintiff-Intervenors have proven their rights are being violated and should be released.

Respectfully Submitted,



Tammy Willis



Rahele Ziaei



Rhonda Fleming

August 9, 2016

A copy of the same has been sent by U.S. Mail, on the same day to U.S. Department of Justice, 950 Pennsylvania Ave, Washington, D.C. 20530 and Attorney General of Texas, P.O. Box 12548, Austin, Texas 78711.


Rhonda Ann Fleming

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